

**CHAPTER NO. 732**

**HOUSE BILL NO. 2111**

**By Representatives Newton, Westmoreland**

**Substituted for: Senate Bill No. 2022**

**By Senators Jackson, Davis, Person, Burks**

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 50, relative to driving offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-50-504, is amended by adding the following as a new subsection:

( ) (1) Notwithstanding any other rule of evidence or law to the contrary, in the prosecution of second or subsequent offenders under this section the official driver record maintained by the department of safety and produced upon a certified computer printout shall constitute prima facie evidence of the prior conviction.

(2) Following indictment by a grand jury, the defendant shall be given a copy of the department of safety printout at the time of arraignment. If the charge is by warrant, the defendant is entitled to a copy of the department of safety printout at the defendant's first appearance in court or at least fourteen (14) days prior to a trial on the merits.

(3) Upon motion properly made in writing alleging that one (1) or more prior convictions is in error and setting forth the error, the court may require that a certified copy of the judgment of conviction for such offense be provided for inspection by the court as to its validity prior to the department of safety printout being introduced into evidence.

SECTION 2. This act shall take effect July 1, 2002, the public welfare requiring it.

PASSED: May 1, 2002

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 8<sup>th</sup> day of May 2002

  
DON CONQUIST, GOVERNOR